

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

JOANN T. MAYNARD	*	CASE NO. 21-4174
	*	
Plaintiff	*	SECTION
	*	
v.	*	MAG
	*	
PREMIERE ENTERTAINMENT	*	
SHREVEPORT, LLC, previously named	*	
ELDORADO CASINO SHREVEPORT	*	CIVIL COMPLAINT
JOINT VENTURE, INC., d/b/a	*	
ELDORADO RESORT CASINO	*	JURY TRIAL
SHREVEPORT	*	REQUESTED
	*	
Defendant	*	
*****	*****	

COMPLAINT FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Plaintiff, **JOANN T. MAYNARD** ("Plaintiff"), a person of the full age of majority residing in the State of Texas, who brings this action against **PREMIERE ENTERTAINMENT SHREVEPORT, LLC, previously named ELDORADO CASINO SHREVEPORT JOINT VENTURE, INC., d/b/a ELDORADO RESORT CASINO SHREVEPORT** ("Defendant" or "Casino"), a foreign limited liability company doing business in this judicial district, as follows:

I.

JURISDICTION AND VENUE

This Court has jurisdiction over Plaintiff's claims under 28 U.S.C. 1332, based on complete diversity of citizenship and an amount in controversy that exceeds \$75,000.00. Further, venue is alleged to be proper in this Court as the tortious conduct and resulting injuries and damages suffered by Plaintiff occurred within this judicial district.

II.

On or about February 28, 2021, Plaintiff, who had checked into defendant's Hotel on February 26, 2021, was traversing the lobby of the Hotel while checking out when she suddenly, and without warning, slipped and fell due to liquid on the Hotel's lobby floor, which caused Plaintiff to sustain serious bodily and mental injuries and resulting damages.

III.

There had been inclement weather (rain and drizzle) in the area for a number of days leading up to, and including, the time of Plaintiff's slip and fall, but defendant failed to place any protective devices such as non-skid matting, warning signs, cones, and defendant also failed to timely and thoroughly inspect and maintain the Hotel lobby floor to kept it dry and safe for foot traffic, despite knowing of the unreasonably unsafe condition of the Hotel lobby floor.

IV.

Plaintiff was taken by EMS to Willis-Knighton Hospital for emergency treatment, including orthopedic hip surgery.

V.

Once Plaintiff was physically able to return home to the Waco, Texas area, she did so, where she continued to receive medical treatment, including physical therapy and rehabilitation services.

VI.

Immediately upon impact after falling on the Hotel lobby floor on February 28, 2021, Plaintiff suffered unbearably excruciating pain due to the trauma, including a femoral neck fracture of her right hip. Moreover, Plaintiff also suffered physical and mental pain and suffering, after February 28, 2021, which continues to this day.

VII.

The sole and proximate cause of Petitioner's accident was the gross and wanton negligence of the defendant, which includes, but not limited to, the following:

- a) failing to provide and maintain safe flooring;
- b) failing to provide and maintain a safe walkway;
- c) failing to properly contain and remedy a known liquid substance on the Hotel's lobby floor;
- d) failing to detect and monitor a safety hazard;
- e) failing to post caution signs, cones, or use protective rain mats;
- f) failing to properly warn customers of a safety hazard;
- g) failing to properly clean hazardous flooring;
- h) failing to properly eliminate the accumulation of the water that created a hazardous floor condition;
- i) failing to properly implement and maintain safety procedures;
- j) failing to do what should have been done; and
- k) any and all other acts of negligence inherent in these pleadings or which may appear by discovery or at the trial of this case.

VIII.

As a result of the defendant's negligence, Plaintiff sustained traumatic personal and physical injuries, mental anguish, inconvenience, and resulting damages.

IX.

Plaintiff, JoAnn T. Maynard, itemizes the damages sustained by her as a result of the accident caused by the defendant, which include, but are not limited to, the following:

- a) pain and discomfort to her right hip and groin area;

- b) pain and discomfort to other parts of the right side of her body;
- c) impaired walking ability;
- d) mental anguish and depression; and
- e) loss of enjoyment of routine activities

WHEREFORE, Plaintiff, **JOANN T. MAYNARD** prays:

- a) That her Complaint for Damages be filed accordingly, and that the defendant, **PREMIERE ENTERTAINMENT SHREVEPORT, LLC**, be duly cited and served with a copy of the Complaint, and be required to answer same all in accordance with law;
- b) That after due delays and proceedings are had, there be judgment herein in favor of the Plaintiff and against defendant, in an amount determined and deemed appropriate by this Honorable Court, with legal interest from the date of judicial demand;
- c) For all costs of these proceedings; and
- d) For all general and equitable relief.

Respectfully submitted,

/s/ John O. Pieksen, Jr.
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SERVICE INFO:

Plaintiff will issue a Notice of Lawsuit and Request For Waiver of Service and Citation to Defendant